

Gila County Planning and Zoning Commission
March 20, 2008
Gila County Maintenance Yard
Milepost 257, Star Valley, AZ.
Approved April 17, 2008

1. Call to order/Pledge of Allegiance

Planning and Zoning Commission meeting was called to order by the Chairman, Don Ascoli at 10:10 am.

2. Roll Call

Commission Present:	Chairman:	Don Ascoli
	Vice Chairman:	Lori Brown-Absent
	Members:	Jack Larimore
		Mickie Nye
		Renee Zeising (by conference call)
		Ron Christensen
		Rose Harper
		Jay Spehar (by conference call)
		Travis Williams-ABSENT

3. Review and Approval of Minutes

No corrections or additions to the minutes, motion was made by Commissioner Ron Christensen to approve and it was seconded by Commissioner Jack Larimore, motion passed unanimously.

4. Director/Commission Communications

Chairman Ascoli asked the Director, Bob Gould if he had any updates for the Commission; Bob Gould did not have any at this time.

a. Update from special committees

Public Awareness (Jay Spehar, Chairman): Commissioner Jay Spehar stated that he'd been in contact with Commission member Travis Williams and Renee Zeising; they suggest creating a brochure with MS Publisher that would rely on the Planning and Zoning Handbook that is published by the Department of Commerce. The purpose of the brochure would be to set forth the role of the commission, who the Commissioners are, the definition of Planning and Zoning, variances, special use permits and a process map on how one moves through the process.

Incentives Use Committee: No comments at this time.

Zoning Ordinance (Commission members: Mickey Nye, Chairman)
Mickey Nye reported that the committee had discussed asking the county for some funds to get some outside information but decided to table that at this point.

LURPP (Ron Christianson, Chairman): There has not been another meeting since they met at the Casino. Their next meeting will be the first part of April. It was mentioned that they needed an electronic version of LURPP and zoning book; Bob Gould stated that he would get it for them.

Zoning in Young (Renee Zeising Chairman): They have not met yet.

b. Request for consultant services for Zoning Code Project

Commissioner Mickey Nye moved to table this item, Commissioner Rose Harper seconded; Motion carried unanimously.

- 5. CUP-08-01 filed by Randy Slapnicka, representative of Landmark B & R LLC:** Application is a request to construct and utilize a 195' commercial communication tower on Assessor's tax parcel 303-10-098P, a 5.19 acre property in the Christopher Creek community. The property is located in the northeast one quarter of Section 30 in T11N, R13E of Gila County and is adjacent to the Tonto National Forest.

Director, Bob Gould, introduced this item to the Commission. He stated that it is on a rather remote parcel; property is zoned GU. He further stated that the Commission could determine that this application is not required. The regulations for towers require a Conditional Use Permit unless it is an allowable use in that district.

The applicant held the citizen participation meeting and the county did receive two letters of concern. Each recognized that Christopher Creek needs a tower but the maximum should be 195', concerned about lighting.

Staff recommends approval of this Conditional Use Permit with the limit of 195', there will be an 18 month time frame in which to obtain building permits and no strobe light to be used unless FAA requires it.

There was discussion on the location of the tower on the parcel, height and visibility; applicant clarified the location and stated that the tower was designed to collapse on itself. There will be seven carriers on the tower (fire department and six cell carriers).

Chairman opened for public comment. Wayne Lewis represented three property owners on the north side. He stated that the applicant had addressed all concerns they had. Mr. Lewis is a lawyer and agrees that the commission is well within their right to require a CUP.

James Oliver is from Christopher Creek. He stated that they will be able to see the tower entering and leaving Christopher Creek. He's concerned it will be viewed from high viewpoints that tourists traditionally go to and would like to see camouflaging of the tower.

Greg Koontz resides in Scottsdale but owns property near the area and asked if the tower will be noisy; applicant stated that there was no noise unless the power goes out, and then the generators will go on.

Frank Marrazza stated that he was told that it was better for the tower to be silver, less noticeable.

Margaret Clark stated that she felt the Commission should not give him more than twelve months to get the required permits.

Applicant, Randy Slapnicka stated that he had to file for tribal archeological study and that takes one hundred and twenty days. He would rather have eighteen months, six months gets burned up in paperwork, he stated that he has to bring a road and power in and he has several companies to organize (APS, Quest, etc). The plan is to have it up by October 1st.

Carl Mann resides in Hunter Creek and is in support of the cell tower.

Vice Chairperson, Lori Brown, stated that her company worked the fire and there is not a lot of radio service in this area.

Public comment period was closed.

Community Development Director, Bob Gould summarized: Recommendation from staff is approve with eighteen month revision clause, light shielded and the color gray or silver.

Commissioner Ron Christensen had a concern with the time frame and stated that if applicant needs more time, he can come back to the Planning and Zoning Commission to request more time.

Vice Chairperson, Lori Brown motioned to approve CUP-08-01 to construct cell tower with staff recommendations: required lighting, no strobe light unless required by FFA and shield from the ground, eighteen months to obtain permits with option of one extension by the Planning and Zoning Commission if permitting and work can't be done in time, 195' height limit and the tower is to be the color silver or gray. Commissioner Ron Christensen seconded the motion; motion passed unanimously.

Commission took a five minute break.

6. Information/Discussion from Bob Gould on Senate Bill 1575 – regarding water supply requirements.

Bob Gould stated that during the Boards and Commission workshop held in the valley, there was some information given out that had concerns of the accuracy. There are five active management areas active throughout the state and they are required to show an ensured water supply; unlike Gila County. For everyone outside the active management area, in 1973 they adopted the Adequate Water Supply program and every subdivision has to go through this process and is completed as a consumer protection program. If the subdivision does not have adequate water supply, they still get approved but they have to notify the adequacy. The problem is that this information is only provided to the first time buyers of the property. The five part test that they are required to go through is that the water is physically available for 100 years, legally available for 100 years, continuously available for 100 years and they have to prove that they have the financial ability to put in the distribution and they have to go through ADEQ to show that the water is of adequate quality.

1575 has allowed those cities and towns and counties to require that they prove that five part test. Counties can adopt this regulation, the downside to this is that every incorporated entity within Gila County will not have the option any longer, they will have to move up and prove 100 year water supply as well. Now, if the city or town adopts it, it does not affect the county. In order for the county to adopt this, it must be unanimous by the Board and cannot be rescinded; DWR and ADRE must be notified. The only county at this time to adopt this is Yuma County.

Bob Gould, Director gave the Commission additional information on Bill 1575. He further stated that he would suggest that they do nothing with it at this time and he will email the notes he has to the commission.

7. Bernice Winandy requests revision to Subdivision Ordinance, Section 505.07 a.2), regarding water availability guidelines.

Bernice Winandy resides in Pine and requests review and revision of guidelines and stated the term "season use" is not defined in the guidelines. She further stated that Gila County does not have a mechanism that will ensure that a subdivision in seasonal use areas will remain seasonal and will not convert to year round residences.

After Mrs. Winandy finished speaking, Director, Bob Gould responded that our regulations require 250 gallons a day, minimum flow per residential unit and 1000 gallons a minute flow for fire protection for a two hour period. He further stated that whether they delete this from the code or keep it in the code it will never be implemented and he agreed that it would be wise to delete it from the code and they will be reviewing the Zoning Ordinance in the near future.

She suggested that developers in seasonal areas be required to test the wells when the water is at the lowest level which is the summer.

8. Date and time for the next scheduled meeting.

The next meeting will be April 17th, 2008 in Globe with a Conditional Use Permit on the agenda.

9. Adjournment

Commissioner Mickie Nye motioned to adjourn, motion was seconded by Commissioner Jack Larimore; motion unanimously passed and the meeting adjourned at 12:22.